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RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY  
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY  
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C O N F I D E N T I A L SECTION 01 OF 03 KABUL 005398

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DEPARTMENT FOR U/S DOBRIANSKY,  
SA/FO, SA/A, S/CR, PRM/A, EUR/RPM, PRM/ANE, PRM/FO,  
NSC FOR HARRIMAN, OSD FOR KIMMITT

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SUBJECT: SON OF SLAIN AFGHAN WOMEN'S RIGHTS ACTIVIST MAKES  
CREDIBLE CASE FOR ASYLUM

REF: KABUL 004409

Classified By: AMBASSADOR RONALD NEUMANN FOR REASONS 1.4 (B) AND (D)

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SUMMARY  
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¶1. (SBU) Naqibullah (No Last Name), the 18-year-old son of Safia Ama Jan, the Director of Women's Affairs in Kandahar province, who was gunned down outside her home in September (see reftel), contacted post to report threats against himself and violent acts against his father since the murder of his mother. They were referred to the Embassy by Maliha Suhak, Deputy Minister of Women's Affairs. Naqibullah asked for post's assistance in getting asylum for both himself and his father and for protection while still in Afghanistan. Post has referred him to UNHCR protection officials in Kabul and Islamabad, who - if the two applicants appear to qualify - would provide protection and assist in filing an application for asylum. END SUMMARY.

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A CREDIBLE CASE FOR ASYLUM  
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¶2. (SBU) Naqibullah and his maternal aunt, Mehira Ziayi, met with Embassy RefCoord and PolOff on November 5, 2006. Naqibullah reported that on September 29 - just four days after the murder of his mother - two masked men affiliated with the group Hezb-i-Islami Gulbuddin (HIG) came to his home and told him that he would be killed if he continued to go to school or to work outside of his home. Two days later, these men returned to his home, beat his father, Mohammed Tahir, who is paralyzed as a result of polio, then hung a noose around the father's neck and threatened to use it should anyone from his family attempt to continue the work of Safia Ama Jan.

¶3. (SBU) Fearing for his life, Naqibullah has since gone into hiding at the home of his aunt in Kandahar. Although his aunt lives directly across from a local police station, Naqibullah has not reported the threats to the local police, as he fears reprisal

attacks from the men who specifically warned him against contacting authorities. These men had told Naqibullah that they have contacts within the local government who would inform them if Naqibullah disobeyed their orders.

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ASSISTANCE PROVIDED BY POST  
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¶4. (C) Following the meeting at the Embassy, post RefCoord referred Naqibullah to UNHCR protection officials in Kabul and Islamabad and apprised representatives at both offices of the case. Officials at UNHCR's Kabul office met with Naqibullah on November 6, advised him of the asylum process and told him that they could not assist him from their offices in Kabul. UNCHR can only provide assistance from its Islamabad office.

¶5. (C) Neither Naqibullah nor his father have valid passports, so Afghanistan's Ministry of Women's Affairs (under which Safia Ama Jan was employed) is working to see that they obtain passports, Pakistani visas, financial assistance, and transportation to Islamabad. UNHCR officials have noted that Naqibullah and his father's safety will likely still be at risk once in Pakistan. UNHCR Islamabad will coordinate with the U.S. Embassy Cairo-based Regional Refugee Coordinator (who manages the refugee admissions process for Islamabad) to assist Naqibullah and his father in expeditious processing of their refugee application.

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THE MURDER OF SAFIA AMA JAN AND ITS AFTERMATH  
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¶6. (SBU) According to Naqibullah, his mother was threatened for the first time just three nights before her assassination, when five to six masked men approached their home, threw a rock at the door and demanded that she come outside. The incident occurred again two nights later. Both times, Safia Ama Jan refused to come to the door. The following morning, Safia Ama Jan, burka-clad while hailing a taxi to work, was approached by two masked men on a motorcycle and gunned down.

¶7. (SBU) Naqibullah mentioned that his mother had reported the threats to local police immediately after they happened and had requested a handgun license and a pistol. She had been promised both, but her persecutors got to her first.

¶8. (SBU) Naqibullah reports that three men have been arrested in connection with his mother's murder. One is believed to be the man who shot her, the other was the motorcycle driver. The third man was fingered by the killers as having promised them 200,000 Pakistani Kaldars (appx. \$3,300 USD). According to Naqibullah, the gunman and the driver have confessed to the murder. The third suspect - who maintains his innocence - allegedly did not make good on his promise to pay the other two and was subsequently identified by his alleged accomplices.

¶9. (SBU) A well-known women's rights activist, Safia Ama Jan was Kandahar's Director of Women's Affairs (DOWA), a high-profile government position affiliated with Afghanistan's Ministry of Women's Affairs (MOWA). According to her sister, Mehira Ziayi, she was the first woman to work for the government in Kandahar following the ouster of the Taliban in 2001, making

her a prominent symbol for the women's rights movement in southern Afghanistan.

¶10. (SBU) Naqibullah reports that a few days after his mother's murder, her murderers blew up her grave. Overall, their attempts to intimidate women's rights activists in Kandahar appear to have been successful. At the time of her death, the Office of the DOWA in Kandahar employed a staff of 32. Now, only three employees - all men - remain.

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WHY THIS CASE IS UNIQUE  
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¶11. (SBU) COMMENT: Post believes that Naqibullah and his father have a credible and well-founded fear of persecution, as they have been targeted, threatened and beaten solely as a result of their connection to their mother's/wife's work as a women's rights activist. They were explicitly told by their attackers that they are being confined to their home in order to prevent them from taking up the banner of Safia Ama Jan's cause after her murder. Furthermore, they have been threatened against seeking protection from local authorities and have a credible belief that local government sources in Kandahar may leak their attempts to seek GOA protection to members of Hezb-i-Islami. Naqibullah has a cousin, Mr. Mukhtar Ahmad, living in New York who may be able to provide assistance.

¶12. (SBU) COMMENT CONTINUED: To address concerns that asylum - if granted - would set a precedent for other women's rights activists or their families to seek asylum in the U.S., post would like to point out that this case is particularly unique because: (1) of

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Safia Ama Jan's direct connection to the GOA's Ministry of Women's Affairs; (2) her very public role as the first woman to work for the GOA in Kandahar, one of Afghanistan's most conservative provinces and a Taliban stronghold; (3) her implied connection to the USG, highlighted by multiple USG statements condemning her murder; and (4) the threats from Hezb-i-Islami Gulbuddin (HIG) precluding Naqibullah and his father from reporting their harassment to GOA or local police officials.

¶13. (SBU) COMMENT CONTINUED: Post believes this is a unique case based on a credible and well-founded fear of individually targeted persecution due to their direct connection to a prominent human rights activist murdered as a result of her work. Failure to support Naqibullah and his father's request would send a signal that the USG is not prepared to take action on behalf of those personally targeted and have a justifiable fear for their safety due to their perceived connection to U.S. efforts on behalf of women in Afghanistan. END COMMENT.

NEUMANN